

PROB 12C
(6/16)

Report Date: December 6, 2023

United States District CourtFILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON

for the

Dec 07, 2023**Eastern District of Washington**

SEAN F. MCAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Troy Edward Klein

Case Number: 0980 2:19CR00122-TOR-1

Address of Offender: [REDACTED] Spokane, Washington 99207

Name of Sentencing Judicial Officer: The Honorable Robert H. Whaley, Senior U.S. District Judge

Name of Assigned Judicial Officer: The Honorable Thomas O Rice, U.S. District Judge

Date of Original Sentence: February 20, 2020

Original Offense: Possession with Intent to Distribute 50 Grams or More of Actual Methamphetamine,
21 U.S.C. § 841(a)(1)Original Sentence: Prison - 60 months Type of Supervision: Supervised Release
TSR - 48 monthsRevocation Sentence: Prison- 90 days
(June 1, 2023) TSR - 60 months

Asst. U.S. Attorney: David Michael Herzog Date Supervision Commenced: August 3, 2023

Defense Attorney: Carter Liam Powers Beggs Date Supervision Expires: August 2, 2028

PETITIONING THE COURT

To incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court on 11/29/2023.

On August 3, 2023, the offender's conditions of supervision were reviewed by the probation officer and he signed said conditions acknowledging an understanding of his requirements.

The probation officer believes that the offender has violated the following condition(s) of supervision:

| <u>Violation Number</u> | <u>Nature of Noncompliance</u> |
|-------------------------|--------------------------------|
|-------------------------|--------------------------------|

| | |
|---|---|
| 4 | Special Condition #5: You must abstain from the use of illegal controlled substances, and must submit to urinalysis and sweat patch testing, as directed by the supervising officer, but no more than 6 tests per month, in order to confirm continued abstinence from these substances. |
|---|---|

Supporting Evidence: The offender is alleged to have violated special condition number 5, by ingesting a controlled substance, methamphetamine, on or about November 27, 2023.

On November 27, 2023, Mr. Klein submitted a urine specimen at Pioneer Human Services that returned presumptive positive for methamphetamine. At that time, he signed a denial

Prob12C

Re: Klein, Troy Edward
December 6, 2023
Page 2

form indicating he had not used said substance. The urine sample was subsequently sent to the national laboratory for further testing.

On December 6, 2023, the probation officer received the confirmation result, which indicated that above-referenced urine specimen was positive for methamphetamine.

5 **Standard Condition #2:** After initially reporting to the probation office, you will receive instructions from the court or probation officer about how and when you must report to the probation officer, and you must report to the probation officer as instructed.

Supporting Evidence: The offender is alleged to have violated standard condition number 2, by failing to report to the U.S. Probation Office for a scheduled appointment on December 1, 2023.

On November 20, 2023, Mr. Klein was instructed to report to the U.S. Probation Office on December 1, 2023. Mr. Klein failed to report for this scheduled appointment.

6 **Standard Condition #4:** You must be truthful when responding to the questions asked by your probation officer.

Supporting Evidence: The offender is alleged to have violated special condition number 4, by failing to be truthful with the probation officer on December 5, 2023.

On December 5, 2023, this officer contacted the offender via telephone and questioned him regarding the presumptive positive urinalysis test he submitted on November 27, 2023. At that time, Mr. Klein denied use of illicit substances. As noted in alleged violation number 4, the urine specimen collected from Mr. Klein on November 27, 2023, was confirmed positive for methamphetamine. As such, he was not truthful with the probation officer regarding his drug use.

The U.S. Probation Office respectfully recommends the Court to incorporate the violation(s) contained in this petition in future proceedings with the violation(s) previously reported to the Court.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: December 6, 2023

s/ Lori Cross

Lori Cross
U.S. Probation Officer

Prob12C

Re: Klein, Troy Edward

December 6, 2023

Page 3

THE COURT ORDERS

- No Action
- The Issuance of a Warrant
- The Issuance of a Summons
- The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- Defendant to appear before the Judge assigned to the case.
- Defendant to appear before the Magistrate Judge.
- Other



Thomas O. Rice
United States District Judge
December 7, 2023

Date